

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

ANDREW B. KIMBROUGH,

Plaintiff,

V.

DOUGLAS WADDINGTON, DON
GRIFFITH, EDWARD DOMINIC, DR.
KENNETH R. SEBBY, and DR. R.
BEDNARCZYK,

Defendants.

No. C08-5602 RJB/KLS

ORDER REGARDING EXTENSIONS OF
TIME AND WITHDRAWAL OF
COUNSEL

Currently pending before the Court is Defendants' motion to dismiss. ECF No. 83. The motion was sent to Plaintiff's attorney of record on September 9, 2011. *Id.* Plaintiff filed no response to the motion. However, on October 20, 2011, Plaintiff filed, *pro se*, a notice of change of address indicating that he is residing at a treatment center in Seattle at "Seadrunar Treatment Center, 10344 14th Ave. S, Seattle, WA 98168." Plaintiff stated that he could be contacted through "Alex Noble @ (206) 767-0244," and that he was on a "ninety day black out period which ends around December 23, 2011." ECF No. 84. On the same day, the Court received a Notice/Motion to Withdraw from Attorney Hari Alipuria, who stated that Plaintiff discharged him from representation effective immediately. Mr. Alipuria stated that he had not been able to contact Plaintiff, but that he sent notice of his withdrawal to Plaintiff at 10344 14th Ave. South Seattle, Washington 98166. ECF No. 85.

On November 10, 2011, Plaintiff filed an “emergency continuance.” ECF No. 89. Plaintiff requests that the Court move the “trial date out to late January 2012 or early February

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1 2012." *Id.* Plaintiff again states that he has a "three month blackout" and advises that his
2 attorney is no longer on this case. He states that he has attached a copy of the program criteria.
3 However, no copy of the program criteria is attached. He further states that he has no legal
4 resources to prepare. *Id.* Defendants have filed no response to the motion to continue.

5 It is not at all clear from the foregoing that Plaintiff is aware that there is a motion to
6 dismiss pending or whether he ever received a copy of the motion. It does appear that Plaintiff
7 believes that there is trial date or other deadlines that need continuing.
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9 Accordingly, it is **ORDERED**:

10 (1) The Notice/Motion to Withdraw as Attorney (ECF No. 85) shall be **GRANTED**.
11 The Clerk shall change the docket to reflect Plaintiff's pro se status and current mailing address.
12 The Clerk is also directed to send to Plaintiff copies of the docket and ECF Nos. 83 and 88.

13 (2) Plaintiff shall file a response to Defendants' motion to dismiss (ECF No. 83) **on**
14 **or before February 27, 2012**. Defendants may file a reply **on or before March 2, 2012**. The
15 Clerk shall **renote** Defendants' motion to dismiss (ECF No. 83) for **March 2, 2012**.

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17 DATED this 30th day of November, 2011.

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Karen L. Strombom
United States Magistrate Judge
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